

NEWS OF UTAH AND ADJOINING STATES

Ogden News

Office—410 Twenty-fifth street.
Circulation Department, 366 Twenty-fifth street.

Ogden, Tuesday, Oct. 5.

GRABS GUN OF HIGHWAY ROBBER

Loss of Hat, However, May Prevent Conviction of Suspect Identified.

(Special to The Herald-Republican.)
Ogden, Oct. 5.—Last evening as Joseph Paine approached his home on Twenty-sixth street between Lincoln and Wall avenues a fellow arose from a crouching position and ordered him to throw up his hands. Mr. Paine grabbed the barrel of the revolver, at the same time reaching for his own revolver in his hip pocket. In the struggle that ensued the holdup succeeded in retaining his own revolver, but when he found himself free from the grasp of Mr. Paine he ran away. Mr. Paine fired a shot at the fellow as he ran and undertook to fire the second, but the revolver failed to work.

In the excitement the would-be holdup lost his hat, which Mr. Paine picked up at the gate.
One of the Paine boys poked his head out an upstairs window and, realizing the situation called to his father, "Shoot him, pa; shoot him!"
At about 1 o'clock a suspicious looking man, hatless, was arrested in a saloon on Twenty-fifth street. Mr. Paine recognized the man arrested as the identical fellow who attempted to hold him up. Today, however, when Mr. Paine went to the station he was shown the hat he was supposed to have lost as the fellow belonging to the holdup, but Mr. Paine declared that it was not the hat that he had picked up at his gate last night. The hat is an important piece of evidence, and just what has become of the right hat is somewhat of a mystery.

WIFE IS SET FREE, BUT HUSBAND IS PUNISHED

(Special to The Herald-Republican.)
Ogden, Oct. 5.—George M. Cary and his wife, Emma Cary, were arraigned in police court this morning on the charge of disturbing the peace. The complaint alleged that George and Emma entered into a fierce quarrel at their home. George stated to the court that he was guilty, but when Emma was called upon to enter a plea she emphatically declared that she was not guilty. The judge let Emma go, but George must pay a fine of \$5 or go to jail.

FOR ROBBING A JAP.

Two Suspects Are Given Preliminary Hearing in City Court.

(Special to The Herald-Republican.)
Ogden, Oct. 5.—The preliminary hearing of Charles E. Dwyer and H. C. Van Horn, charged with grand larceny, occupied the municipal court today. The complaint alleges that the defendants robbed O. Yagachita, a Japanese, of \$15. The alleged offense was committed Sept. 27 near the Ogden tabernacle. Officer Crompton made the arrest. Yagachita says that the men accosted him here in the city and persuaded him to go to the tabernacle grounds, and that at that place they took his money.

GIRL PROVES RIGHT TO MARRIAGE LICENSE

(Special to The Herald-Republican.)
Ogden, Oct. 5.—Another illustration of the old saying, "The course of true love never runs smooth," was given in the county clerk's office yesterday when Adelbert C. Rich, Jr., and Miss Mary Lovett Symes, both of Gilio, Nev., applied for a marriage license. The girl was under the age limit, and although she had a letter of consent from her mother, it was not signed by a notary, and County Clerk Dye was in a quandary. The girl had received a letter from her mother yesterday, and after comparing the penmanship with that on the consent, Clerk Dye issued the license. Elder John V. Bluth tied the nuptial knot.

BREWER CONSENTS TO TRY FOR ANOTHER TERM

(Special to The Herald-Republican.)
Ogden, Oct. 5.—Mayor Alexander L. Brewer tonight consented to be the candidate for re-election on the Democratic ticket. There appears to be a dearth of candidates for the other offices, and it is probable that the Democrats will have difficulty in filling the basket. The Democratic primaries will be held tomorrow night and the convention on Oct. 8.

The Democrats are hopeful to induce George Shorton to be a candidate for recorder; Professor Wintle for auditor, and Valentine Gideon for city attorney. There is no Democratic candidate in sight for the position of municipal judge.

WORK ON NEW DEPOT.

(Special to The Herald-Republican.)
Ogden, Oct. 5.—There are in the neighborhood of 120 men at work in the Union depot yards today laying concrete and preparing to place the ties and rails upon it. A new Democratic candidate in sight for the position of passenger service.

REALTY TRANSFERS.

(Special to The Herald-Republican.)
Ogden, Oct. 5.—Real estate transfers were made today as follows:
Joseph J. Hill to Sadie Osterhout, part of lots 60 and 61 and all of lot 60, block 24, plat C, Ogden survey.
Margaret A. Moyes to Sophia A. Nelson, part of lot 19, block 7, plat A, Ogden survey.
Hattie C. Sampson to J. H. and William P. Garrison, 15 acres in township 5, section 22, Weber county, \$6,200.
Reuben J. Middleton and wife, Annie, to John Salt and wife, Laura, part of the northeast quarter of section 30, township 6, Weber county, containing in all 40-40 acres.

KNIGHTS GIVE BALL.

(Special to The Herald-Republican.)
Ogden, Oct. 5.—Quaint, odd, burlesque and even grotesque costumes were represented at the fancy dress ball held in the Knights of Columbus hall last night. The ball was given by the Children of Mary, an organization composed of the young ladies of St. Joseph's Catholic church.

RUN OVER BY OWN WAGON

(Special to The Herald-Republican.)
Bingham, Oct. 5.—Hugh Wright of the Schlepp-Wright meat market, while driving the firm delivery wagon at Highland boy, was seriously injured in a runaway at 4 o'clock this afternoon. One of the breast straps of the harness broke, causing the pole to drop. This frightened the horses and they dashed down the steep grade toward the lower town at a terrific pace. The maddened horses tore through the milk wagon, jumped the wheels. At this point Mr. Wright jumped, but fell in such a way that the horse's paw caught on a nail and his finger was torn from the hand.

TWO BURIED BY A CAVE-IN

One Miner Killed and Another So Seriously Injured He May Not Recover.

(Special to The Herald-Republican.)
Bingham, Oct. 5.—By a cave-in at noon today in the Ben Hur tunnel of the Boston Consolidated mine, George Perry and Stojan Stolanoff were buried under many feet of dirt and debris. Stolanoff was dead when found, but Perry, who had been sheltered by an overhead beam, was alive.
When the accident happened Perry was running a machine and Stolanoff was using a pick. Without any warning the overhead timbers gave way. It took the corps of rescuers three and a half hours to get Perry out. His whole scalp was torn off and he had other serious injuries.
If he is able to be moved from the hospital here he will be taken to St. Mark's hospital in Salt Lake tomorrow. Surgeons believe he may recover. Perry is 33 years old and an old-time resident of Bingham. Stolanoff had been here only a few months.

REPUBLICANS WILL MEET

Brigham Voters Will Nominate Candidates for City Offices Oct. 14.

(Special to The Herald-Republican.)
Brigham, Oct. 5.—Politicians are astir talking over the issues for the local campaign. The Republican city convention will be held in the court house Oct. 14, at which a city ticket will be named. Apportionment of delegates follows: Poll 1, 14 delegates; poll 2, 12 delegates; poll 3, 8 delegates; poll 4, 9 delegates; poll 5, 4 delegates.
J. Francis Merrill, R. L. Fishburn, Jr., Hyrum J. Hansen, Hans S. Larson, N. E. Mortensen, and a number of other prominent Republicans have been mentioned for mayor.

NEPHI NEWS NOTES.

(Special to The Herald-Republican.)
Nephi, Oct. 5.—The Nephi high school is now located in the new Whitmore building. The chemistry, zoology, agriculture and domestic science and art laboratories are fully equipped.
A baby girl was born to Mr. and Mrs. Reuben Stanley Tuesday.
W. J. Ephraim of Kansas arrived last week with the machinery for the Nephi plaster mill.
John C. Painter is ill.
Joseph McCune, the little son of Mrs. S. B. McCune, is seriously ill with diphtheria.
The stork left baby girls at the homes of Mr. and Mrs. William Warwood and Mr. and Mrs. E. W. Peterson of Levan last Tuesday.
Roy Pay has sold his confectionery store to Ernest and David Winn.
Miss Edna Bigler and Miss Nina Sidwell have accepted positions in the new store.
The little daughter of Mr. and Mrs. Willard Garrett is suffering with diphtheria.
Marjorie, the 6-months-old daughter of Mr. and Mrs. J. R. Downs, was buried Friday.

TEARS OFF HIS FINGER.

Boy's Ring Catches on Nail When He Falls From Fence.

(Special to The Herald-Republican.)
Springville, Oct. 5.—Milton Harrison, 9 years of age, son of George Harrison, was walking on the top of a board fence yesterday when he fell. A ring he wore in his finger caught on a nail and his finger was torn from the hand.

DROWNS TRYING TO GET A DUCK

Hunter's Body Taken From Jordan River After Posse Has Searched Entire Country.

(Special to The Herald-Republican.)
American Fork, Oct. 5.—After an all-day hunt by posse the body of William Summerville, who has been missing since Sunday, was taken from the Jordan river today near American Fork. Appearances indicated that he had shot a duck and had gone into the river after it. His heavy clothing, becoming water-soaked, probably dragged him under, although he was an expert swimmer.
Saturday evening Summerville and LeVerne Adamson, both of American Fork, went hunting. At night they camped in the Jordan narrows and Sunday morning they were out early. In the event that the supreme court upsets the affirmation of the verdict of jury handed down. Counsel for Mr. Walsh, in their appeal, laid stress on what they alleged was a lack of criminal intent on the part of the defendant. In the very lengthy brief which they filed much law was quoted to show that the convicted banker used the funds of the bank in what he considered a legitimate manner.

RAILROAD PAYS DAMAGES

Denver & Rio Grande Gives County \$500 to Repair Highway.

(Special to The Herald-Republican.)
Provo, Oct. 5.—The county commissioners have decided to accept the proposition of the Denver & Rio Grande railroad in the matter of repairing the road near Colton, which was damaged during the time the railroad was widening the roadbed. The company will give \$500 and the repair contract has been let to J. M. Miller.

The following appointments have been made: Superintendent of the county infirmary, James A. Oliver; deputy collectors of taxes: Fairfield, Munnie Flack; Alpine, Fanny E. Moyle; Lehi, William Asher; American Fork, Eleanor E. Robinson; Pleasant Grove, Amy R. Ross; Springville, John W. Alkman; Spanish Fork, Ammon Tuttle; Salem, Charles F. Stone; Payson, J. S. Page; Goshen, John Jaspersen; Santaquin, Eustelia Tetjen. County officers reported the following amounts collected for September: Attorney, \$5; clerk, \$80; sheriff, \$100.50; treasurer, \$21.90; recorder, \$30.75. The county treasurer's financial report showed an overdraft of \$1,364.85.

DISCOVER NEW ROAD.

Trip to Fish Lake Results in Finding Route for Highway.

(Special to The Herald-Republican.)
Richfield, Oct. 5.—The trip of the Richfieldians with E. D. R. Thompson and Deputy Marshal Smyth has resulted in a new route being discovered to the Fish lake region which eliminates the long climb from Grass valley to the summit. The road is through a little canyon at an easy grade. The road to Lehi can be made through this canyon and avoid heavy grades. An appeal for aid will be made to the government in constructing this road.

HOLD TEACHERS' INSTITUTE.

(Special to The Herald-Republican.)
Richfield, Oct. 5.—Next week the county teachers' institute will be held here. A public meeting is being prepared to awaken interest in the library-gymnasium movement. Howard Driggs of the University of Utah will make an address.

REMEMBER

and call at Hewlett's Booth at the State Fair. Our young ladies will give you the "Glad Hand," and a free cup of the finest Tea that can be made.

ONE DEG NEARER STATE'S PRISON

Court of Appeals Affirms Verdict in Case of John R. Walsh.

Chicago, Oct. 5.—The verdict of the trial court which found John R. Walsh guilty of misapplication of the funds of the Chicago National bank, was affirmed by the United States circuit court of appeals here today.
Mr. Walsh must serve the sentence of five years' imprisonment imposed upon him by the trial jury, save in the event that the supreme court upsets the affirmation of the verdict of jury handed down. Counsel for Mr. Walsh, in their appeal, laid stress on what they alleged was a lack of criminal intent on the part of the defendant. In the very lengthy brief which they filed much law was quoted to show that the convicted banker used the funds of the bank in what he considered a legitimate manner.

Opinion of Court of Appeals.

The opinion of the court of appeals, written by Judge Humphrey and handed down by Judge Grosscup in brief and confined almost wholly to the question of criminal intent. The allegation that Juror Palmer was unduly influenced is dismissed with a word, and but little more is wasted in eliminating the allegation of inconsistency in the verdict.
As to the substance of the matter charged in the various counts, says the opinion, "the verdict will not be disturbed. If the ground of the charge in each count on which there has been a verdict of guilty is the same there is a consistency in the verdict."

No Error in Instructions.

In the instructions given the jury by Judge Anderson in the trial court the higher tribunal finds no error. As to the lack of criminal intent the opinion reads:

"Under section 3209 there could be misapplication of bank funds by an officer which would be innocent and not criminal, and there could be misapplication which under the statutes would be criminal. What would show the difference between misapplications which were criminal and those which were not, would show innocence of guilt, good faith or bad faith, the court sought by instruction carefully to define, and we think did fairly define."
Counsel for Mr. Walsh have thirty days in which to file application for a rehearing by the court of appeals. Meanwhile he will be at liberty under his present bond of \$50,000.

Rise and Fall of Walsh.

The rise and fall of the fortunes of John R. Walsh, who is now 72 years of age, forms an interesting chapter in the history of Americans who have risen from obscurity to power.
The three Walsh banks—the Chicago National, the Equitable Trust and Savings company, and the Home Savings bank—were closed by the comptroller of the currency on Dec. 18, 1905, nearly four years ago. At that time Walsh not only owned these institutions and the Chicago Chronicle, but owned all, or nearly all, of the stock of the following companies:
The Acme Gas company, the Bedford Belt Railway company, the Bedford Quarries company, the Chicago Southern Railway company, the Chicago Wharfing & Storage company, the Indiana Southern Coal company, the Illinois Southern Railway company, the Lake Michigan Car Ferry Transportation company, the Mount Olive & Stanton Coal company, the Ohio Quarries company of Ohio, the Ohio Quarries company of Illinois, the Southern Indiana Coal company, the Southern Indiana Railway company, the Southern Missouri Railway company, and the Wisconsin & Michigan Railway company.

Stock Cost Little.

According to the brief of the government on the appeal, all of the companies were bankrupt, or on the verge of it, when bought by Walsh for little or nothing. Their securities were unmarketable and practically worthless.
Then, it is alleged, Walsh formed corporations to buy these companies from himself, taking in payment stock of the new corporations and enough of their bonds to repay himself at their face value for the sums he actually paid for them.

Use of Dummies.

In this way, according to the prosecution, he obtained for nothing stocks and bonds to the face value of \$30,000,000.
Walsh dreamed a great dream of a railway system to be pieced together from his scattered purchases, which would reach from the Mississippi to the Ohio, through Illinois, Indiana, Wisconsin and Michigan, to Duluth, Minn., and Superior, Wis. The quarries and coal mines were to furnish much of the traffic.

To obtain funds Walsh had recourse to the funds in his banks. In covering up these loans, it is alleged, he used memorandum notes signed with the names of clerks, who were not consulted in the matter. There was nothing on the books to show that Walsh had received the loans. Even Fred Blount, the vice president, is said to have been ignorant on the subject. For collateral Walsh deposited the securities of his various enterprises.

For two years it was charged that Walsh ignored the demands of the comptroller of the currency that he place his banks and investments on a sound basis, and when the crash came it was discovered that 66 per cent of the securities held were those of Walsh's properties. Of the \$25,000,000 deposits, \$16,000,000 were represented by the paper and securities of the Walsh enterprises.

LAND REGISTRATIONS.

Pierre, S. D., Oct. 5.—The actual registration for the first day in the land opening of the Cheyenne river and Standing Rock Indian reservations at this place was 570 names. The registration for the same period received from the other districts are: Lebeau, 28; Moberg, 20; Lemon, 22; Bismarck, N. D., 67; Aberdeen, 364.

APPEAL FAILED.

Washington, Oct. 5.—Dr. Wu Ting Fang, the Chinese minister, made an ineffectual appeal today to the department of commerce and labor to prevent the deportation of nine Chinese who will be taken back to China on the steamer Mongolian.

ESTABLISHED 1864

F. J. Aberbach & Co.

ONE PRICE TO ALL NEVER UNDERSOLD

Curtain Dept. Yesterday

Enough to spare of all these good things for all comers today. Be sure to avail yourself of these extraordinary Curtain Reductions while you may. No such opportune money-saving event is likely to occur again this year. Special accommodations to facilitate prompt service in this department.

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| \$1.00 Nottingham Lace Curtains On sale this week at, per pair— 62c | \$1.50 Sill Curtains On sale this week, per pair— 98c | 60c Swiss Curtains On sale this week, per pair— 24c | \$4.00 Irish Point Curtains On sale this week, per pair— \$1.98 |
| \$1.25 Nottingham Lace Curtains On sale this week at, per pair— 83c | \$2.00 Sill Curtains On sale this week, per pair— \$1.28 | \$1.35 Swiss Curtains On sale this week, per pair— 83c | \$7.50 Irish Point Curtains On sale this week, per pair— \$3.90 |
| \$1.50 Nottingham Lace Curtains On sale this week at, per pair— 98c | \$2.25 Sill Curtains On sale this week at, per pair— \$1.48 | \$2.25 Swiss Curtains On sale this week, per pair— \$1.24 | \$9.00 Irish Point Curtains On sale this week, per pair— \$4.98 |
| \$2.00 Nottingham Lace Curtains On sale this week at, per pair— \$1.28 | \$2.50 Cable Net Sill Curtains On sale this week, per pair— \$1.69 | \$3.00 Ruffled Bobbinet Curtains On sale this week, per pair— \$1.29 | \$12.00 Irish Point Curtains On sale this week, per pair— \$7.20 |
| \$3.00 Nottingham Lace Curtains On sale this week at, per pair— \$1.88 | \$3.00 Cable Net Sill Curtains On sale this week, per pair— \$1.88 | \$5.00 Filet Net Curtains On sale this week, per pair— \$3.30 | \$15.00 Irish Point Curtains On sale this week, per pair— \$9.90 |
| \$3.50 Nottingham Lace Curtains On sale this week, per pair— \$2.20 | \$15.00 Battenberg Curtains On sale this week at, per pair— \$9.90 | \$6.00 Filet Curtains On sale this week, per pair— \$4.20 | \$20.00 Irish Point Curtains On sale this week, per pair— \$10.60 |
| \$4.25 Two-Toned Colonial Curtains On sale this week, per pair— \$2.85 | \$7.50 Battenberg Curtains On sale this week, per pair— \$5.30 | \$5.00 Cluny Curtains On sale this week, per pair— \$3.30 | \$12.00 Genoa Point Curtains On sale this week, per pair— \$6.10 |
| \$4.50 Madras Weave Curtains On sale this week, per pair— \$3.10 | \$6.00 Battenberg Curtains On sale this week, per pair— \$3.60 | \$6.00 Cluny Curtains On sale this week, per pair— \$4.20 | \$15.00 Genoa Point Curtains On sale this week, per pair— \$8.25 |
| \$5.00 Cable Net Curtains On sale this week, per pair— \$3.30 | \$4.00 Cluny Curtains On sale this week, per pair— \$2.60 | \$9.00 Brussels Net Curtains On sale this week, per pair— \$4.98 | \$12.00 Brussels Net Curtains On sale this week, per pair— \$7.20 |

The Best For \$5.00

We are specializing on the best \$5 Shoe proposition ever.
Men's and women's Shoes with character and goodness, unmatched short of \$6 to \$10 the pair.

Yours Shoely,
Hirschman's, the Shoe People
Look for the revolving window.
118 S. Main.

1910 VELIE AUTOMOBILES.

FOUND WITH THROAT CUT

Supposed Suicide of E. A. Wilson at Elberta Will Be Investigated.

(Special to The Herald-Republican.)
Provo, Oct. 5.—Sheriff George T. Judd left early this morning for Elberta, Utah county, to investigate the death of E. A. Wilson, who is reported to have committed suicide. Wilson is a resident of Hastings, Neb., but went to Elberta Sunday evening to visit. He is said to have had some domestic troubles which affected his mind.
About 3 o'clock this morning he left his bed and was found about 7 o'clock by his sister, dead, in the buggy shed, with his throat cut from ear to ear and a bloody pocket knife by his side.
He leaves a widow and six children in Nebraska and numerous relatives in Utah.

STOP SHIPPING CANTALOUPE.

(Special to The Herald-Republican.)
Springville, Oct. 5.—Cantaloupe shipping has stopped. More than ten carloads have been sent out from this place during the season. Beet digging is now on in real earnest.

Forced sale of strictly hand-tailored clothes

I am forced to sacrifice my entire stock of pants, every vest to go—a complete, cloth, every suit, every overcoat, every p—not a single exception—every piece of drastic clearance is necessary at once

In explanation will say that I planned on a larger store this fall, purchased an immense stock of fabrics, as well as a large line of high-class, hand-tailored suits from the best eastern custom tailors, to open up my new location—but by an unforeseen circumstance I was unable to get the location desired before the first of the year—consequence is I am swamped with piece goods—swamped with suits—swamped with overcoats—swamped with pants—in fact, I am right 'up against it' and enormous bills for merchandise becoming due.

Must sacrifice the entire tremendous stock of fresh, new fall lines together with my regular splendid line of patterns and fabrics to raise cash—and raise it quick.

This is practically a frantic call for help—help from an appreciative public that knows the quality of goods I carry and the kind of tailoring I do—it's a great opportunity for the suit purchaser or the man who needs an overcoat.

It saves the man with moderate means from buying a "hand-me-down." A good deal cheaper now for him to select a splendid, high-grade, strictly hand-tailored garment.

I quote a few examples of the prices that will prevail at my shop during this unprecedented sale—and think of it—just at the beginning of the season, when you need just what I am advertising.

Lot No. 1—Splendid line of imported worsteds, made up in either suit or overcoat, not a value less than \$20.00—made to your measure **\$11.75**

Lot No. 2—Excellent assortment of black and blue chevots, Tibets and unfinished worsteds, actually worth up to \$25.00—made up in either suit or overcoat for only **\$15.00**

Lot No. 3—An elegant lot of fancy worsteds and chevots in this season's newest patterns, worth to \$40.00—made up in either suit or overcoat for **\$20.00** only.

Special line of men's pants in all patterns, fabrics and styles—worth to \$5.00 a pair—special during this sale **\$3.00**

All fancy vests worth \$3.00 to \$7.50 to close at \$1.00.

My Guarantee of Absolute Satisfaction Goes With Every Sale

DANIELS, the Tailor

57 WEST SECOND SO. OPEN EVENINGS TILL 8 O'CLOCK DURING THIS SALE